REMARKS

Applicant's attorney would like to thank Examiner Sinkantarakorn for his helpful comments made during a telephone interview with the undersigned attorney on August 12, 2009. During that telephone interview, a distinction between the present invention as set forth in claim 1 and US patent 7,039,721, Wu, et al, was discussed with Examiner Sinkantarakorn with the suggestion that a proposed amendment to claim 1 be faxed to Examiner Sinkantarakorn for further consideration. Upon further review of the reference, applicant further wishes to propose additional distinctions between the present invention as claimed and Wu which thereby was believed to be best submitted by an Amendment After Final Accompanying RCE.

In response to the Office Action of June 15, 2009, claims 1, 22, 25, 32, and 41 have been amended to recite "a varying public address, said varying of the public address occurring prior to said public address being dynamically allocated" in place of "a dynamically allocated varying public address." Support for this amendment can be found in the application as filed, including at page 1, line 11 through page 3, line 1 and page 13, line 21 – page 14, line 2.

Claim Rejections- 35 U.S.C. §102

At page 3 of the Office Action, claims 1-8, 10-12, 22, 25-28, 32 and 41 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu et al (US 7,039,721, hereinafter Wu).

With respect to claims 1, 22, 25 and 32, it is asserted that Wu discloses the entire invention as claimed, with reference made to Figures 1 and 2, and column 3, lines 52-55, column 4, line 25, column 5, lines 37-57, column 6, lines 1-25, and column 6, line 62-column 7, line 4. Applicant respectfully disagrees.

It is asserted by the Office that Wu discloses a wireless terminal configured to have a dynamically allocated varying public address, with reference to column 6, lines 1-6. Further, the Office asserts in the Response to Arguments section at page 8 of the Office Action, "Wu discloses that, before the selection of public addresses by the secret node is performed, the public addresses are allocated to the secret host by the Domain Name Server (DNS)," with reference made to column 1, lines 14-20, column 6, lines 35-40, and column 6, line 65-column 7, line 4.

Claim 1 has been amended to recite "a varying public address, which is dynamically allocated." The amendment further clarifies that the public address is already varying when it is dynamically allocated. This is contrary to what is shown in Wu, and stated by the Office as shown in Wu, where public addresses are allocated to the secret node, and then the public addresses are selected. Furthermore, even if Wu discloses allocated public addresses to the secret host by the DNS, it still fails to disclose dynamically allocating a varying public address. This feature of the claimed invention cannot be found in any of the cited or non-cited sections of Wu. Thus, Wu fails to disclose a varying public address, which is dynamically allocated.

Furthermore, it is clear that Wu is directed to a system and method to protect the disclosed system from outside attack, such as by a Denial of Service (DOS) attack (Wu, column 1, lines 20-22). Thus, the purpose of Wu is to show a public IP address to the rest of the world, but that the communications are actually done behind the scenes via a secret node 18 which communicates to the internet in a manner which appears to the outside to have a public IP address (Wu, Figure 1). The fact that Wu discloses that it can switch from one public IP address to another when the system is under attack and that the secret host 18 may then notify select clients of this alternate public IP address is quite different from the purpose of the present invention which is to provide a means by which a wireless terminal can directly communicate with at least one other communicating party so as to inform that party of the wireless terminal's public address while the wireless terminal is connected to a wireless communication network via a private address.

The Office asserts at section 3 of the Office Action that Wu discloses a wireless terminal by secret host 18 and that this secret host has a private address in a wireless communication network, citing column 3, lines 52-55 of Wu. However, if the secret host 18 is considered to be a wireless terminal (something that is not disclosed in Wu) it is not seen where this secret host is connected to a wireless communication network, but rather it is only shown as being interconnected to the internet 24 and a public host 22. At best, Wu discloses that the secret host 18 may notify select clients of an alternate public IP address or that its Domain Name Server (DNS) may replace the current public node IP address with the IP address of an alternate public node under circumstances such as a Denial of Service attack. There is no disclosure that a secret host is a wireless terminal nor that this wireless terminal

is also connected to a first wireless communication network with the wireless terminal having a private address in the first wireless communication network. The secret address of the secret host is only communicated to the public host 22 and therefore is not part of a first wireless communication network as required by claim 1.

For all of the foregoing reasons, it is therefore respectfully submitted that claim 1 is not anticipated or suggested by Wu.

Independent claims 22, 25, 32, and 41 have all been amended in a manner similar to claim 1 and, for similar reasons as those presented above, each of these independent claims is also believed to be neither anticipated nor suggested by Wu.

Furthermore, at least in view of their dependency on the aforementioned independent claims, it is respectfully submitted that dependent claims 2-8, 10-12, and 26-28 are also not anticipated by Wu and are in allowable form.

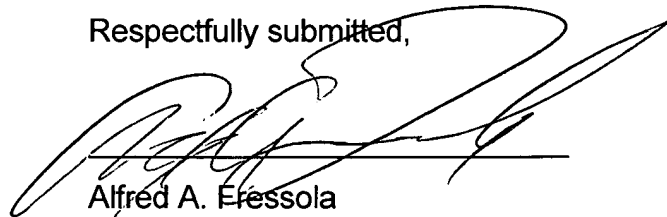## Claim Rejections- 35 U.S.C. §103

At page 7 of the Office Action, claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wu in view of Ebata et al. (US 2002/0173310, hereinafter Ebata). However, because claim 9 is dependent from claim 1, which as stated above is not anticipated by Wu, it is respectfully submitted that claim 9 is not unpatentable over Wu in view of Ebata and is in allowable form.

In view of the foregoing, it is respectfully submitted that the present application as amended is in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

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